

House Votes to Require Court

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The House passed last night, 246 to 128, a bill to require court orders for most national security wiretaps.

The measure is similar to a bill that passed the Senate in April. It is the product of several years of debate and a unique coalition of the administration, its intelligence agencies and civil liberties groups.

The bill would require government agencies to obtain warrants before bugging or wiretapping persons suspected of collecting intelligence in the United States for foreign powers.

The only exception from the across-the-board warrant requirement is for communications exclusively between foreign powers, such as from an embassy to its home country.

The push for the bill grew out of reports in recent years of abuses against American citizens by intelligence

agencies. The Ford and Carter administrations and the intelligence agencies themselves also supported the bill because they felt a new law would protect their agents from possible civil suits.

Before the final vote yesterday, the House reversed itself on an amendment it had passed narrowly the night before. Rep. Robert McClory (R-Ill.), the chief spokesman against the bill, had won a narrow 178 to 176 victory to make the warrant requirement apply only to surveillance of only to U.S. citizens, not foreigners.

Yesterday the House reconsidered that amendment and defeated it, 200 to 176. The members also rejected his motion to recommit the bill to committee, 207 to 164. Earlier in the day McClory's substitute bill—which would have gutted the measure—was overwhelmingly defeated, 249 to 128.

Supporters of the bill praised the lobbying efforts by the administration

and the House leadership yesterday. Jerry Berman of the American Civil Liberties Union said he was "gratified" that the House had reversed itself on the McClory amendment "because it would have seriously

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jeopardized this bill from the civil liberties point of view. Now we can go to conference and work on the best of both bills."

Berman added that passage of the bill was also a hopeful sign for the in-

telligence agency charters Congress is considering.

The Senate bill, which passed 95 to 1, includes provisions for a special court of judges to hear the warrant applications in the wiretap cases. A

similar provision in the House bill was knocked out Wednesday night. Both bills require that the government show the judges evidence of a crime before conducting surveillance against American citizens.